
Statistics Netherlands Regulations of the Board

Valid from 01-01-2017 to the present

Decision of the director general of statistics of 9 December 2016 to adopt regulations of the board (Statistics Netherlands Regulations of the Board)

The director general of statistics,

In view of the approval by the Minister of Economic Affairs on 7 December 2016;
Having regard to Section 2b of the Statistics Netherlands Act;

Decides:

Article 1. Definitions

The following definitions are used in these Regulations of the Board:

1. *act*: Statistics Netherlands Act
2. *CBS*: Statistics Netherlands, as referred to in Section 1 of the act;
3. *director general*: the director general of statistics, as referred to in Section 1 of the act;
4. *minister*: the Minister of Economic Affairs, as referred to in Section 1 of the act;
5. *committee of directors*: the director general, the deputy director general, the directors of the organisational departments, the editor-in-chief and the secretary of the board;
6. *advisory council*: the advisory council, as referred to in Section 20 of the act.

Organisation

Article 2. Main structure

1. The main organisational structure of the CBS consists of
 - a. the director general;
 - b. the deputy director general;
 - c. the statistical departments;
 - d. the corporate services department;
 - e. the data collection department;
 - f. the communications department;
 - g. the policy staff.
2. The CBS' organisation chart shall be published on the CBS website.
3. The corporate controller shall be able to report directly to the director general, regardless of his or her position in the CBS organisation.

Article 3. Meetings of the committee of directors

1. The director general shall perform his statutory duties, exercise his powers and manage the day-to-day operations in consultation with the committee of directors.
2. Directors of the organisational departments may submit items for discussion within their own policy areas.
3. Subjects to be discussed at the meetings of the committee of directors shall include policy and policy development, strategy, communication, quality and the statistical programme.
4. Regulations as referred to in Article 5 shall be discussed by the committee of directors before they are adopted.

5. The committee of directors shall meet once a week, unless there are reasons to depart from that schedule.
6. The director general is the chairperson of the committee of directors.
7. Meetings of the committee of directors shall not be held in public.
8. Meetings of the committee of directors can be attended by members of the committee and by those persons invited to attend by the chairperson.
9. The secretary shall, with the approval of the director general, compile the agenda and arrange the distribution of the invitations, the agenda and other documents intended for the meeting.
10. In urgent situations, the meeting may be held in an alternative expedient manner, in which case the method by which decisions were taken shall be recorded, together with the decisions that were taken, in the minutes of the meeting.

Article 4. Minutes of the meetings of the committee of directors

1. The secretary of the committee shall draw up the minutes of the proceedings at the meeting. The minutes shall at least contain:
 - a list of the persons who were present;
 - a mention of the subjects that were discussed;
 - if necessary for a proper understanding of what was decided, a brief report of the discussion;
 - a list of the decisions taken and action points.
2. Any member of the committee of directors who disagrees with a decision that was taken may have the objection together with the reasons for it noted in the minutes.
3. The minutes shall be sent to the members of the committee of directors within four working days of the meeting, and shall be adopted at the next meeting of the committee of directors, with or without amendment.
4. Once adopted, the minutes shall be published within the CBS organisation.

Regulations

Article 5. Regulations concerning integrity, irregularities, complaints and mandates

1. The director general shall draft a Code of Conduct setting out the policy on integrity.
2. The director general shall make it possible for employees of the CBS to report alleged irregularities of a general, operational or financial nature or violations of codes of conduct and laws and regulations to officials designated by the director general without any risk to their legal position.
3. The director general shall adopt an Order on Organisation, Mandate, Procurement and Authorisation. This order shall be published.
4. The director general shall adopt an internal complaints procedure. This complaints procedure shall be published.
5. The director general shall adopt an external complaints procedure. This complaints procedure shall be published.

Advisory council

Article 6. Composition

1. The advisory council shall consist of the chairperson, the deputy chairperson and not less than

three and not more than seven other members.

2. The secretary shall be a staff member of the CBS designated by the director general, in consultation with the chairperson of the advisory council. The secretary shall not be a member of the advisory council.

Article 7. Profile

1. The members of the advisory council must meet the following profile:
 - have an affinity with the tasks performed by the CBS;
 - have a large network that is relevant for the operations of the CBS;
 - possess knowledge of how large organisations function;
 - possess knowledge of business operations;
 - possess specific expertise as referred to in the second subsection.
2. The expertise of the members of the advisory council shall encompass at least the following areas: political-administrative, legal, financial, IT, data/methodology/statistics and European/international affairs. The advisory council must possess insight into social and economic trends.

Article 8. Independence

1. The members of the advisory council shall serve in a personal capacity and perform their function without instructions from or obligation to consult any other party.
2. Every member of the advisory council shall be independent in the sense of meeting the following criteria:
 - was not an employee of the CBS in the five years preceding the appointment;
 - was not a civil servant or a holder of political office in the ministry under whose auspices the CBS falls in the year preceding the appointment;
 - was not an important commercial relation of the CBS, including occupying a position as an adviser to the CBS, in the five years preceding the appointment.
3. Members of the advisory council shall not hold any positions that are incompatible with the proper performance of their advisory role or with maintaining their independence or the confidence therein.

Article 9. Appointment

1. The advisory council shall, after consultation with the director general, make a recommendation to the Minister for filling any vacancy that occurs.
2. The members of the advisory council shall be appointed for a period of not more than four years. They may be reappointed once.
3. As long as a vacancy in the advisory council has not been filled, the advisory council shall be formed by the remaining members.

Article 10. Description of duties

1. The duties of the advisory council include providing the director general with solicited and unsolicited advice on the performance of his duties and the exercise of his powers.
2. Subjects on which the advisory council shall in any case advise the director general include:
 - a. the multi-annual programme as referred to in Section 14 of the act and the work programme as referred to in Section 15 of the act;
 - b. measures that can be taken to foster the accuracy and completeness of the statistics to be published on account of the government to meet the needs of, practice, policy and science;

- c. the CBS' business management and efficient use of resources.

Article 11. Procedures

1. The advisory council shall meet at least four times a year.
2. The advisory council shall account for the advice it has provided on the subjects referred to in Article 10, second subsection, as well as any other issues on which it has provided advice, in the section devoted to its activities in the CBS' annual report.
3. The advisory reports concerning the intentions laid down in the work programmes and multi-annual programmes and the extent to which they have been met shall be published in the section of the CBS' annual report devoted to the advisory council's activities.
4. The director general shall adopt the annual report, as referred to in Section 53 of the act, after receiving the advice of the advisory council on this matter.
5. If the director general makes a decision that departs from the advice provided by the advisory council, he shall report this fact in the annual report, together with a statement of the reasons for departing from the advice.
6. When the position of director general falls vacant, the advisory council shall draw up a profile, select candidates on the basis of a procedure that is transparent and based exclusively on professional criteria¹⁾, and make a recommendation to the Minister as referred to in Section 2a (3) of the act.

Article 12. Advisory committees

1. The advisory council can appoint committees, from among its members but also including persons other than members of the advisory council, for the purpose of preparing an advisory report. Advisory reports shall be adopted by the advisory council.
2. The advisory committees shall be chaired by a member of the advisory council.
3. The members of the advisory committees may not be staff members of the CBS.
4. The advisory council shall appoint at least the following committees:
 - a. an audit committee, which will prepare the advisory reports for the director general concerning operations, including the financial reporting and risk management policy;
 - b. an IT committee, which will prepare the advisory reports for the director general concerning CBS' strategy and policy in relation to information protection and IT, and their implementation;
 - c. a programme committee, which will prepare the advisory reports for the director general concerning the multi-annual programme, the work programme and measures to foster the accuracy and completeness of the statistical programme.
5. The advisory council shall regulate the composition, tasks and procedures of every committee that it appoints.

Article 13. Procedures

1. The advisory council can only adopt an advisory report at a meeting which is attended by at least half of the members.
2. Each member has one vote. The advisory council shall decide by a simple majority of the votes cast by the members who are present. In the case of a tied vote, the vote of the acting chairperson

1) In accordance with REGULATION (EU) 2015/759 OF THE EUROPEAN PARLIAMENT AND THE COUNCIL of 29 April 2015 amending Regulation (EU) 223/2009 on European statistics.

is decisive. Votes may be cast by proxy provided the proxy has been granted in writing and, in the opinion of the chairperson, has been adequately verified.

3. In the absence of the chairperson, the deputy chairperson shall act for him. In the absence of both, the meeting shall choose a chairperson from amongst those present.
4. The advisory council shall adopt rules of procedure regulating its internal affairs.

Article 14. Remuneration

1. The director general shall determine the amount of the annual compensation for the chairperson and the members of the advisory council and its advisory committees.
2. The compensation shall be charged to the CBS.
3. In its report in the CBS' annual report, the advisory council shall mention at least the amount of the compensation paid to the members of the advisory council.

Article 15. Entry into force

1. This regulation enters into force on 1 January 2017.
2. The regulation shall be posted on the CBS website.

Article 16. Concluding provision

These Regulations of the Board shall be cited as: Statistics Netherlands Regulations of the Board.

The Hague, 9 December 2016

T.B.P.M. Tjin-A-Tsoi

Director General of Statistics